

Notice of Allowability

Application No.

10/761,979

Examiner

Hal I. Kaplan

Applicant(s)

REALMUTO ET AL.

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's amendments dated December 15, 2006.
2. ☒ The allowed claim(s) is/are 1-39, 42 and 43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20061019, 20070129.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

The Examiner wishes to thank the Applicant for the time and courtesies extended in the interview on October 19, 2006.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312: To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Alfred M. Walker on January 29, 2007.

The application has been amended as follows:

In the Claims

1. (currently amended) In a power sharing system in a DC load environment having:

- a source of AC;
- an alternative source of DC;
- a power controller capable of inputting voltage regulated DC power simultaneously from said sources, said alternative sources of DC making a shared contribution of power selected by said power controller, said power controller delivering a regulated DC voltage to a DC compatible load at an output of said power sharing system;
- said power controller controlling supply side power sharing to a DC load side;

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said power controller having a converter converting AC inputted electrical power into a defined DC-regulated voltage to provide and manage power to said DC compatible load;

said power controller producing voltage regulated power by controlling response of said alternative source of DC power;

said power controller directing power from secondary sources of DC power to limit peak power supplied from said source of AC power to said DC power to limit peak power supplied from said source AC power to said DC compatible load in accordance with a pre-set threshold of power from said source of AC power in order to minimize peak power surcharges; ~~wherein~~ the improvement ~~comprises~~ comprising:

means for operating an alternative source of DC in a dynamic manner that allows the utilization of all the power generating capability at the specific operating conditions of the moment; and,

means for delivering power from said alternative primary power source of DC in excess of that required by said DC compatible load back to said source of AC.

3. (currently amended) The power system of Claim 1 further comprising an external DC energy ~~source~~ storage device.

13. (currently amended) The power sharing system of Claim 10 having an external DC storage device to supply DC power to said DC compatible load when there is a failure in said source of AC and said alternative source of DC produces insufficient power for said DC compatible load;

said system also having a means for feeding back AC power in excess of that required by said DC compatible load at any given time from said external DC energy storage device into an AC input connection when said AC power source is operational.

2. The following is an examiner's statement of reasons for allowance:

Claims 1-39, 42, and 43 are allowed because none of the prior art of record discloses or suggests feeding back excess power from a DC source to an AC source or an AC input connection, in combination with the remaining claimed features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal I. Kaplan whose telephone number is 571-272-8587. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on 571-272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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A handwritten signature in black ink, appearing to read 'Robert L. Deberadins', written in a cursive style.

ROBERT L. DEBERADINS
PRIMARY EXAMINER